



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**MICHELE METCALF** and **HANNAH  
LAWSON**, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

**TRANSPERFECT TRANSLATIONS  
INTERNATIONAL, INC.,**

Defendant.

Case No. 19-cv-10104 (ER) (KHP)

**STIPULATED PROTECTIVE ORDER**

**WHEREAS**, Magistrate Judge Parker has ordered all of the parties to this action (collectively, the “Parties” and each individually, a “Party”) to submit a protective order in connection with a survey of those employees and former employees of Defendant who fall within the certified class (the “Class Members”)<sup>1</sup> in an effort to determine hours worked during the period from December 31, 2018 through September 30, 2019 (the “Survey”);

**WHEREAS**, Plaintiffs have represented that they intend to have a designated expert witness conduct the Survey, in addition to a designed survey administrator;

**WHEREAS**, Defendant intends to retain a rebuttal expert witness in connection with the Survey;

**WHEREAS**, the Parties, through counsel, agree to the following terms; and

**WHEREAS**, this Court finds that good cause exists for issuance of an appropriately tailored protective order governing the Survey;

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<sup>1</sup> The parties have submitted objections to the certified class, as defined in the Court’s Report and Recommendation issued on November 6, 2023 (Dkt. No. 282). *See* Dkt. Nos. 288, 290, 294-95. The term “Class Members” may be refined in Judge Edgardo Ramos’s forthcoming order, which may either accept, reject, or modify, in whole or in part, the Court’s Report and Recommendation issued on November 6, 2023 (Dkt No. 282).

**IT IS HEREBY ORDERED** that the Parties to this action, their respective officers, agents, servants, employees, and attorneys, any other person in active concert or participation with any of the foregoing, and all other persons with actual notice of this Order will adhere to the following terms, upon pain of contempt:

1. Defendant shall not engage in any communications relating to the Survey with the Class Members, while the Survey is being prepared and conducted, provided, however, that it shall not be a violation of this Order for Defendant's managers to direct questions that they may receive regarding the Survey from Class Members to the designated survey administrator, provided that in no event shall such directions be substantive, coercive or intended to influence any Class Member's response to the survey in any way; and

2. Plaintiffs shall not engage in any communications relating to the Survey with any Class Members while the Survey is being prepared and conducted, provided, however, that it shall not be a violation of this Order for Plaintiffs or their counsel to direct questions that they may receive regarding the Survey from Class Members to the designated survey administrator, provided that in no event shall such directions be substantive, coercive, or intended to influence any Class Member's response to the survey in any way.

**SO STIPULATED.**

Dated: January 3, 2024

**FINKELSTEIN, BLANKINSHIP,  
FREI-PEARSON & GARBER, LLP**

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*Attorneys for Defendant*

**SO ORDERED.**



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**Katharine H. Parker**

**United States Magistrate Judge**

Dated: January 4, 2024